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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,774	05/30/2001	Masayuki Kumazawa	2001_0680A	4986
513	7590	09/29/2004	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			NALVEN, ANDREW L	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/866,774	KUMAZAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Andrew L Nalven	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 May 2001.  
 2a) This action is **FINAL**.      2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-24 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 30 May 2001 is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/16/01, 5/30/01</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

1. Claims 1-24 are pending.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6-9, 11-14, and 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Palage et al US Patent No. 6,247,133. Palage discloses a method for authenticating electronic documents on a computer network.

4. With regards to claims 1, 6, 11 and 16, Palage teaches an index retrieval part for retrieving index data indicating said content data (Palage, column 5 lines 30-40, document identifier), an authenticating part for authenticating said content based on the index data retrieved by said index retrieval part (Palage, column 6 lines 50-57), and a content retrieval part for retrieving said content data from said server only if said authentication part has confirmed authenticity of the said content data (Palage, column 7 lines 35-54).

5. With regards to claims 2-3, 7-8, 12-13, and 17-18, Palage teaches content data being assigned a locator indicating information for specifying a storage location thereof (Palage, column 6 lines 50-57, document identifier), index data including embedded data which is embedded with said locator as an electronic watermark and to which the content data is linked (Palage, column 8 lines 62-67), and an extraction part for extracting, as a watermark locator, the locator embedded as the electronic watermark from the embedded data included in the index data retrieved by said index retrieval part (Palage, column 9 lines 11-13), a text locator extraction part for extracting as a text locator, a locator specified as being indicative of the content data linking to the embedded data from the index data retrieval part if said extraction part has successfully extracted the watermark locator (Palage, column 9 lines 11-15, column 7 lines 24-34), a check part for determining whether the text locator extracted by said text locator extraction part matches with the watermark locator extracted by said extraction part (Palage, column 9 lines 3-15, comparing encoded information to stored information), and an authenticity confirmation part for confirming the authenticity of said content data only if said check part determines that the text locator matches with the watermark locator (Palage, column 7 lines 35-54).

6. With regards to claims 4, 9, 14, and 19, Palage teaches a display part for displaying a predetermined warning if said authentication part has not confirmed the authenticity of said content data (Palage, column 7 lines 48-66, column 8 lines 3-5).

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7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 5, 10, 15, and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palage et al US Patent No. 6,247,133 in view of Moskowitz et al US Patent No. 5,905,800. Moskowitz teaches a digital watermarking system.

9. With regards to claims 5, 10, 15, and 20-24, Palage fails to teach the embedded data being moving-picture data and/or audio data. Moskowitz teaches embedded data being moving-picture data and/or audio data (Moskowitz, column 2 lines 35-58). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Moskowitz's method of embedding watermarks in video or audio data because it offers the advantage of providing a method of embedding identification information in order to allow support of distribution systems of media content (Moskowitz column 1 lines 9-25).

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Palage et al US Patent No. 6,018,801 teaches a method for authenticating electronic documents on a computer network.

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12. Zhao et al US Patent No. 6,243, 480 discloses a digital authentication system for analog documents.

13. Rhoads US Patent No. 5,841, 978 teaches a network linking method using steganographically embedded objects.

14. Ramos et al US Patent No. 6,421,070 discloses an internet browser with smart images and image bookmarking.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L Nalven whose telephone number is 703 305 8407. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703 308 4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

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Andrew Nalven

